

K-C Docket No.: 17442

Serial No.: 10/734,004

Response to Office Communication Dated: September 11, 2006

Remarks

The Examiner issued an Office Communication which was mailed September 11, 2006. The Office Communication appears to be essentially a notice of non-responsive reply, in which it was alleged that Applicants failed to be fully responsive in their reply dated June 19, 2006 by reason of:

1 The reply filed on ^{dc}09/19/06 to the restriction requirement is not clear and thus not fully responsive to the prior Office Action because of the following (omissions or matters): Applicant has elected group I and then stated that the group contains claims 1-29. this is incorrect. group I only had claims 1-10. Please pick one of the four groups (see office action dated 05/18/06). Since the above-mentioned reply appears to be bonafide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1, 136(a)2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ms. Arti Singh whose telephone number is 571-272-1483. The examiner can normally be reached on M-F 9-7pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrell Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Applicants respectfully **traverse** on the grounds that this Office Communication was issued in error.

On February 27, 2006, Applicants filed a response to the first restriction requirement in which the Group I claims were elected. The first restriction requirement had divided the claims into Group I and Group II. Subsequently, the Examiner issued a second restriction requirement which further divided the claims into Group I – Group IV. In response to this second restriction requirement, the Applicants filed a response on June 19, 2006 by which Applicants clearly elected the Group III claims (claims 18-29).

Applicant respectfully submit that, although the Examiner made reference to their election response dated June 19, 2006 (which correctly elects the Group III claims 18-29), the Examiner was, apparently, at that time mistakenly reviewing their previously filed election response dated February 27, 2006, filed in response to the first restriction requirement.

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Applicants' agent has reviewed the PAIR system Image File Wrapper to ensure that a correct copy of the election response filed June 19, 2006 does exist therein.

For the convenience of the Examiner, a copy of that response filed June 19, 2006 had been downloaded from the Image File Wrapper system and printed, and a printed copy (8 pages, including the 2-page EFS-Web Electronic Acknowledgement Receipt) is attached herewith.

The undersigned may be reached at: 770-587-8908.

Respectfully submitted,

JOY FRANCINE JORDAN ET AL.

By:



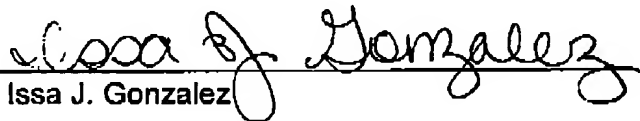
Robert A. Ambrose

Registration No.: 51,231

CERTIFICATE OF TRANSMISSION

I, Issa J. Gonzalez, hereby certify that on October 11, 2006, this document is being faxed to the United States Patent and Trademark Office, central facsimile machine at (571) 273-8300.

By:


Issa J. Gonzalez